



APPENDIX I

Correspondence and Written Approval

23 August 2024

Mark Chrisp
Partner
Mitchell Daysh
P.O. Box 1307
HAMILTON, 3240

By email: mark.chrisp@mitchelldaysh.co.nz

Dear Mark,

Comments on Proposed Private Plan Change 31 to the Waipa District Plan – T4 Residential Growth Cell, Te Awamutu

Thank you for your email of 23 July 2024 notifying KiwiRail Holdings Limited (KiwiRail) of Proposed Plan Change 31 – T4 Residential Growth Cell, Te Awamutu by L. Cudby & NZ Investment Ltd. The plan change involves the rezoning of approximately 29 hectares of land from 'Deferred Residential' to 'Medium Density Residential Zone'. It is anticipated that the site will accommodate up to 350 dwellings.

Your email provides some details of the plan change, including a diagram of the proposed structure plan layout and intended compliance with existing rule 2.4.2.40 in the Waipa District Plan regarding noise sensitive activities within 40m of the railway corridor. KiwiRail has not had sight of a Section 32 Assessment and associated reports.

I confirm that KiwiRail has no in-principle objection to the rezoning of this land to 'Medium Density Residential Zone', subject to the appropriate management of potential effects on the North Island Main Trunk Line (NIMT) which adjoins the proposed plan change site to the west. The NIMT is of 'Regional' and 'National' significance.

KiwiRail would like to see an increase in the distance from the rail corridor for which noise insulation is provided for noise sensitive activities from the current plan standard of 40m to 100m, in order to satisfactorily manage the potential for reverse sensitive effects. The distance of 100m has been supported by noise experts hired by KiwiRail and has been adopted in several district plans around the country. Nearby Waikato District Council have agreed to include this provision in their Proposed Waikato District Plan. Existing rule 2.4.2.29 in the Waipa District Plan is now outdated and KiwiRail will be seeking amendments to this provision, when the plan is next reviewed.

I am of the view that a greater distance of 100m would be consistent with existing Policy 1.3.1.8 of the Waipa District Plan, which seeks *"To ensure that new development does not adversely affect the ongoing operation, maintenance, upgrading and development of existing and planned Regionally Significant Infrastructure and Nationally Significant Infrastructure"*. KiwiRail would be keen to see an 'effects corridor' of 100m from the rail corridor, where specific noise standards would apply in the proposed plan change documents, along with an associated policy, activity standard and matters of discretion for any non-compliance. I have attached for your information, KiwiRail's model provisions for the management of rail related noise. These are currently being updated and represent changes made over time following detailed investigation and mediation.



www.kiwirail.co.nz | 0800 801 070
Wellington Railway Station, Bunny Street, Wellington 6011
Private Bag 39988, Lower Hutt 5045, New Zealand

An example of a suitable policy to support the introduction of a rail-related noise standard is:

"Ensure that noise sensitive activities close to the North Island Main Trunk Line do not unduly constrain the operation of the rail corridor by requiring the use of acoustic attenuation measures in the design of building interiors."

KiwiRail also recommends that a vibration alert area extending up to 60m of the rail corridor also be mapped, which informs future landowners that they may experience vibration levels higher than would normally be expected because of proximity to the rail corridor. This alert would be for information purposes only and need not be accompanied by associated rules.

KiwiRail will also be looking for provisions which prevent the establishment of structures within 5m of any boundary with the rail corridor, without the need for resource consent, including land within the indicated open space/natural wetland and stormwater reserve areas. Any structures intended in this area should form part of a future resource consent, so that any effects on rail infrastructure can be fully considered.

Contour maps for the locality indicate that the railway corridor is generally located below the ground level of the plan change site, and that watercourses on this site flow towards the rail corridor. The location of stormwater reserves and natural inland wetland on the proposed structure plan have been noted. KiwiRail will be seeking confirmation of intended measures to manage stormwater in the proposed plan change, as well as measures to secure their implementation. KiwiRail requires that there is no discharge of stormwater towards the rail corridor that could undermine rail infrastructure. A Grant is required from KiwiRail for any service connections or discharges onto the rail corridor.

KiwiRail will also be seeking confirmation in the proposed plan change, that any earthworks on the plan change site, will be managed to prevent adverse effects on the rail corridor. This will involve consideration of how earthworks adjacent the rail corridor will be managed to avoid off-site effects.

Please contact me if you have any queries.

Yours sincerely

A handwritten signature in blue ink, appearing to be "Allison Tindale".

Allison Tindale
Senior RMA Advisor
KiwiRail Holdings Limited



2 August 2024

Waipa District Council
101 Bank Street
Te Awamutu

Dear Sirs/Madam,

Application for T4 Plan Change – Lynley Cudby & Glenn Raynor Tasker

We refer to the above application and as trustees of the Judena Family Trust, and the owners 4 Pokuru Road, Te Awamutu, we confirm the following:

1. We have been consulted with in regards to the proposed plan change; and
2. We have no objection to it.

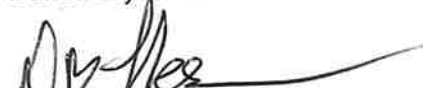
We acknowledge the impact that this could have on the use of our property, as it would finish our business due to the nature of our business being a race horse training/breeding facility, but we acknowledge that progress cannot be stopped, so we do not object.

Please consider our property for residential, as this would give us the financial ability to relocate.

Yours faithfully,



Darrell Bryce Hollinshead



Steven Bruce Thompson

as Trustees of the Judena Family Trust